

Remarks

After entry of the subject Amendment after Final, Claims 1-19, 31-35, 37-39, and 48-55 will remain in the application with Claims 1 and 31 being in independent form. Claims 1, 6-7, 12, 14, 31, 34-35, and 37-38 are being amended and claims 20-30, 36, and 40-47 have been cancelled. Dependent claims 48-55 have also been added.

Claim 38 is objected to due to an informality. This claim has been amended as suggested by the Examiner to overcome the objection.

Claims 1-4, 6, 9-11, 18, 19, 31, 32, 34, 38-42 and 45 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tondato. Claims 5, 33, 43 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tondato and claims 7, 8, 20-24, 27-30, 35, 46 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tondato in view of Nagashima. Claims 12-17, 36 and 37 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the allowance of claims 12-17, 36 and 37. In accordance with this allowance, Applicant has amended independent claim 1 to include the substantive limitations of allowed dependent claim 12 and intervening claim 6. Similarly, independent claim 31 has been amended to include the substantive limitations of allowed dependent claim 36 and intervening claim 34. Claims 1 and 31 are therefore believed allowable. Claims 2-19, 32-35, 37-39, and 48-55 are also believed allowable as these claims depend from the novel features of independent claims 1 or 31.

Applicant notes the procedures regarding an amendment filed under §116, which state that an amendment after final rejection may be made canceling claims or complying with any requirement of form expressly set forth in a previous Office Action. Also, an

amendment placing the application in condition for allowance, by for example accepting allowed claims, may be admitted. As stated at MPEP Section 714.13, the proposed amendment should be given sufficient consideration to determine whether the claims are in condition for allowance.

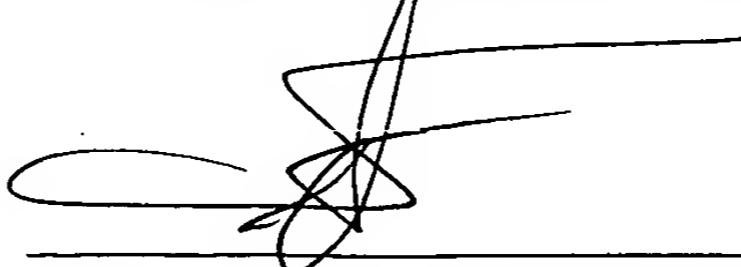
In summary, it is respectfully requested that this §116 amendment be admitted because the applicant has accepted the allowed claims from the previous Office Action, cancelled all of the rejected claims, and has complied with a requirement of form expressly set forth in the previous Office Action. Also, the remaining amendments are to only correct dependency and the newly added claims are all dependent upon the soon-to-be-allowed independent claim 31. Hence, there are no new issues being presented. To that end, it is respectfully submitted that the Application is now presented in condition for allowance, which allowance is respectfully solicited.

The remaining references cited but not applied to the claims have been considered. Since the Examiner has apparently considered these references as less pertinent than the above listed references, further discussion of the non-applied references, at this time, is considered unnecessary. However, it is respectfully submitted that the claims in the subject patent application patentably define over all references of record either independently or in combination.

The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.



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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the attached **Amendment, One-Month Extension of Time and fee** are being deposited with the United States Postal Service as Express Mail, Label No. EV612880762US postage prepaid, in an envelope addressed to Mail Stop Amendment AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 7, 2005.

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